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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/491,142    01/26/00    PHILYAW

J    PHLV-24,910

EXAMINER
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TM02/0703.

Gregory M Howison  
Howison & Handley LLP  
PO Box 741715  
Dallas TX 75374-1715

ROMERO, A	
ART UNIT	PAPER NUMBER

2152  
DATE MAILED:

07/03/01

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

GM

# Office Action Summary

Application No.  
09/491,142

Applicant(s)  
Philyaw

Examiner  
Almari Romero

Art Unit  
2152



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jan 22, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 22-34 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on Jan 22, 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6 20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Drawings*

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 1/22/01 have been approved.

### *Claim Rejections - 35 U.S.C. § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 22-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Hudetz et al. (U.S. Patent No. 5,978,773).
4. Regarding claim 22, Hudetz et al. (Hudetz) discloses the invention substantially as claimed. Hudetz discloses a method for connecting a user computer at a first location on a network with a second location on the network through use of a coded symbol having contained therein encoded information associated with routing information on the network to the second location (on col. 3, lines 25-36 and col. 7, lines 2-9: teaches encoded UPC or other identification number associated with URL (routing information) to access desired resource on the network);

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extracting the encoded information from the coded symbol and decoding such extracted encoded information to provide decoded information (on col. 11, lines 27-39: teaches reading bar code (coded symbol) to extract numeric address); inputting the decoded information to a defined port on the user computer which has an existing first functionality associated with the operation of the user computer not the same functionality of inputting the decoded information (on col. 3, lines 25-36 col. 5, lines 22-29: teaches input device connected to bus via I/O port (defined port) to provide the functionality of the input device for inputting decoded information such as UPC codes to the computer database to retrieve related URL); connecting the second location utilizing the decoded information (on col. 11, lines 27-39: teaches connecting to the requested resource utilizing the retrieved numeric address or URL (decoded information)).

5. Regarding claim 23, Hudetz on col. 9, lines 33-42: teaches Internet.
6. Regarding claim 24, Hudetz on col. 5, lines 22-29: teaches bar code.
7. Regarding claims 25-27, Hudetz on col. 6, lines 33-44: teaches UPC, ISBN, EAN codes.
8. Regarding claim 28, Hudetz on col. 6, lines 20-25: teaches coded symbol on a product.
9. Regarding claim 29, Hudetz on col. 6, lines 20-25: teaches encoded identification number (encoded information) related to the product.
10. Regarding claim 30, Hudetz on col. 6, lines 61-67: teaches optical character recognition (OCR) format for encoded identification numbers (encoded information).
11. Regarding claim 31, Hudetz on col. 7, lines 2-9 and col. 8, lines 40-53: teaches an intermediate location such as service provider 22 including a database with stored information

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regarding the location of a resource in the network; comparing retrieved scanned information with records having UPC production identification number and URL (location of the resource); (on col. 3, lines 25-36) if there is a match the location information is then used to access the desired resource on the network.

12. Regarding claims 32-34, are substantially the same as claims 22-31 and are thus rejected for reasons similar to those in rejecting claims 22-31.

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***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-0749. The examiner can normally be reached on Mondays-Fridays from 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Mark Rinehart, can be reached on (703) 305-4815. The fax phone number for this Group is (703) 305-9731.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
MARK H. RINEHART  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

  
Almari Romero  
Patent Examiner  
Art Unit 2152